
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 359 Session of
1993

INTRODUCED BY SALVATORE AND SCHWARTZ, FEBRUARY 5, 1993

REFERRED TO PUBLIC HEALTH AND WELFARE, FEBRUARY 5, 1993

AN ACT

1 Concerning the fluoridation of public water.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Fluoridation
6 Act.

7 Section 2. Purpose.

8 It is the purpose of this act to prevent dental disease as a
9 health care cost-containment measure.

10 Section 3. Fluoride content of water.

11 Whenever the fluoride content of water served by public water
12 suppliers to 3,000 domestic water connections or more is less
13 than eight-tenths of a milligram per liter of fluoride, the
14 person, association, firm, corporation, authority or
15 municipality having jurisdiction over the supply shall add a
16 measured amount of fluoride to the water so as to maintain a
17 fluoride content of between eight-tenths of a milligram per

1 liter and one and two-tenths milligrams per liter, in accord
2 with regulations adopted by the Department of Community Affairs
3 in consultation with the Department of Health, and recommended
4 levels as established by the United States Public Health Service
5 and the Environmental Protection Agency, such adjustment of
6 fluoride to start within one year after the effective date of
7 this act. However, no fluoridation shall be required unless
8 funding is made available by the General Assembly.

9 Section 4. Fluoridation implementation assistance grants.

10 (a) Authorization.--The Department of Community Affairs
11 shall award grants for assistance in the implementation of
12 fluoridation programs, upon application from any publicly owned
13 water company which meets the requirements of this section.

14 (b) Prerequisites.--Any person, association, firm,
15 corporation, authority or municipality required to add fluoride
16 under section 3, shall make application for an assistance grant
17 within one year from the effective date of this act. The
18 Department of Community Affairs shall not award any grant under
19 this section unless the application is complete and accurate,
20 and the fluoridation program has been implemented on or after
21 the effective date of this act.

22 (c) Priority.--Each publicly owned water company which
23 submits an application shall be considered for a grant under
24 this section on the basis of a priority listing developed by the
25 Department of Community Affairs. Any application not approved
26 for a grant in any year due to the unavailability of funds shall
27 be reconsidered in each subsequent year that grant moneys are
28 available.

29 (d) Implementation.--The provisions of this act shall be
30 implemented as funds are made available by the General Assembly

1 in accordance with the priority list developed by the Department
2 of Community Affairs.

3 Section 5. Enforcement.

4 The Department of Community Affairs shall enforce this act.

5 Such enforcement shall include the following:

6 (1) The Department of Community Affairs shall annually
7 inspect each public water supplier affected by this act to
8 determine compliance with the act and forward a copy of a
9 report on the same to the municipality in which the water
10 supplier is located.

11 (2) The Department of Community Affairs shall annually
12 prepare and submit to the General Assembly a comprehensive
13 report on the number of water systems in Pennsylvania
14 affected by the provisions of this act, including customers
15 served, and any problems arising out of the implementation of
16 this act.

17 Section 6. Immunity.

18 No public water supplier shall be liable for any civil
19 damages as a result of any act or omission relating solely to
20 the good faith performance of his duties under this act.

21 Section 7. Effective date.

22 This act shall take effect in six months.